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| Kevin H. Fortin BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. Box 1404 Alexandria, VA 22313-1404 | | | EXAMINER | |
| | | | KLIMOWICZ, WILLIAM JOSEPH | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

| ## Office Action Summary Dayloza, 569 | | Application No. | Applicant(s) | | | | |
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| Examiner William J, Klimowicz -The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. If the priod for reply specified show in less than this; Odd, one, a reply minimal to the control of the communication. If the priod for reply is specified show, the smalling date of this communication. If the priod for reply is specified show, the smalling date of this communication. If the priod for reply is specified show, the smalling date of this communication, which is the priod of reply is specified show. The smalling date of this communication, went if three the realities date of this communication. If the priod for reply is specified show, the smalling date of the communication, went if three the realities date of this communication. Any reply residue by the Office three than these mortes than the smalling date of the communication, went if three the realities date of this communication. Any reply residue by the Office three three malling date of the communication, went if three the realities date of this communication. Any reply residue them shall add the of the communication of the communication. Any reply residue them shall add the of the communication of the communication. Any reply residue the malling date of the communication of the communication. The communication of the communication of the communication of the communication. The communication of the communication. 1) Responsive to communication of religious communication of the communication. 2) Claim(s) 1.20 Is a part of the priod of the communication of the communicatio | | 09/828 569 | | | | | |
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| THE MAILING DATE OF THIS COMMUNICATION. Expressions of time may be available under the provision of 3 of ER 1.15(c). In an event, horover, may a toply be timely filed and in the 3x (6) MCMPTS from the mailing date of this communication. It is a provision of the communication of the communication of the communication. Follow the communication of the communication of the communication. Follow to reply within the aid of extended period for reply will, by standard princing by each will be completed by may be add the collection by the Collection of the communication. Follow to reply within the aid of extended period for reply will, by standard princing by an and it each explosion to become ARANDONED (35 U.S. C. § 13.3). For very provision by main of the standard princing date of this communication, event dimely filed, may reduce any standard princing date of this communication, event dimely filed, may reduce any standard part of the communication of the communication. For very provision by the standard princing date of this communication, event dimely filed, may reduce any standard princing date of this communication. Provincing to the communication (s) filed on 29 October 2001. Responsive to communication (s) filed on 29 October 2001. This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-20 is/are pending in the application. 4a) Of the above claim(s) | Period for Reply | | | | | | |
| 1) | THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period w Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b). | 36(a). In no event, however, may a reply within the statutory minimum of thirty (3) will apply and will expire SIX (6) MONTHS cause the application to become ABANI | be timely filed 0) days will be considered timely. 5 from the mailing date of this communication. DONED (35 U.S.C. & 133). | | | | |
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DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a) because they fail to show hinge element 206 as described at page 13, line 21 of the instant application, as it pertains to Figure 20. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 7-9 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The following phrase(s) lack clear antecedent basis within the claim(s), i.e., either the particularly recited passage fails to be properly introduced prior to its appearance at that point in the claim or the structure recited in the passage is not an inherent part of or component of the previously recited structure:

- (i) Claim 7 (line 2), "the base."
- (ii) Claim 8 (line 2), "the base."
- (iii) Claim 9 (line 2), "the base."

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(iv) Claim 15 (line 2), "the stack retainer."

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Kurosu (US 5,123,005).

As per claim 1, discloses a memory storage disk handling system, comprising: a housing (2); an elevator pin (47) mounted on the housing (2) for lifting disks (20); a servo motor (motor (39) which inherently includes a servo control in order to turn motor on at a prescribed time, and turn it off at a prescribed time) attached to the housing (2); and a linkage assembly (including (45, 49, 50) attached between the servo motor (39) and the elevator pin (47).

Allowable Subject Matter

Claims 10-14 and 16-20 are allowed.

Claims 2-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 7-9 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

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Claim 15 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Klimowicz whose telephone number is (703) 305-3452. The examiner can normally be reached on Monday-Thursday (6:30AM-5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa T. Nguyen can be reached on (703) 305-9687. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703),305-4700.

William J. Klimowicz Primary Examiner Art Unit 2652

WJК

February 12, 2003